

# TERRE HAUTE

A LEVEL ABOVE

## APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 7

---

COMMON ADDRESS OF LOTS TO BE REZONED:

2425 Ft. Harrison, Terre Haute, Indiana 47804

Current Zoning: R-1 Residential Single Family

Requested Zoning: C-5 General Central Business District (C.B.D.)

Proposed Use: retail commercial use and warehouse

---

Name of Owner: Rick Lasure

Address of Owner: P.O. Box 10602, Terre Haute, IN 47801

Phone Number of Owner: (812)208-5530

Attorney Representing Owner: Rhonda D. Oldham

Address of Attorney: 191 Harding Avenue, Terre Haute, IN 47807

Phone Number of Attorney: (812)238-2421

For Information Contact: Rhonda D. Oldham

Council Sponsor: \_\_\_\_\_

**\*COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION**

**FILED**

MAR 04 2010

**SPECIAL ORDINANCE NO. 7 2010**

**CITY CLERK**

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled "An Ordinance Adopting And Enacting A Code Of Ordinances For The City Of Terre Haute, Indiana; Establishing The Same; Providing For the Repeal Of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such code Of Ordinances; Providing A Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations".

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

SECTION I. That Chapter 10, of the Terre Haute City Code, known and referred to as "The Comprehensive Zoning Ordinance for Terre Haute" of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-12 1, thereof, District Maps, is hereby amended to read as follows:

Lot Numbers Two hundred forty-four (244), Two hundred forty-five (245) and Two hundred forty-six (246) in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots One (1), Two (2), Three (3), Four (4), Five (5), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15) in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section Eleven (11), Township Twelve (12) North, Range Nine (9) West.

ALSO

Commencing at a point 144 feet East of the North West corner of Lot Number 247 in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, and 16 in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section 11, Township 12 North, Range 9 West, thence East to the Northeast corner of said Lot 247; thence Southwesterly along the East line of said Lot 247 to a point due South of the point of beginning; thence North to the point of beginning.

Parcel No. 84-06-11-127-011.000-002  
84-06-11-127-012.000-002

Commonly known as 2425 Ft. Harrison, Terre Haute, IN 47804.

be and the same is, hereby established as a C-5, together with all rights and privileges that may inure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

SECTION II. WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of the City of Terre Haute, and its approval by the Mayor and publications as by law provided.

Presented by Council Member, \_\_\_\_\_, Councilperson

Passed in open Council this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Neil Garrison, President

ATTEST:

\_\_\_\_\_  
Charles P. Hanley, City Clerk

Presented to me the Mayor of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Charles P. Hanley, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Duke A. Bennett, Mayor

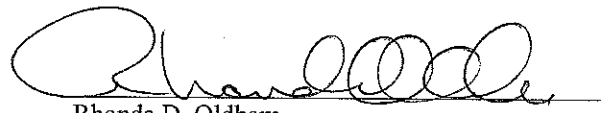
ATTEST:

\_\_\_\_\_  
Charles P. Hanley, City Clerk

This instrument prepared by:

Rhonda D. Oldham, BRAMES & OLDHAM, 191 Harding Av., Terre Haute, IN 47807

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

  
Rhonda D. Oldham

**PETITION TO REZONE REAL PROPERTY # 7**

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA:

And THE PRESIDENT AND MEMBERS OF THE AREA PLAN COMMISSION FOR VIGO COUNTY, INDIANA:

LADIES AND GENTLEMAN:

The undersigned, Rick Lasure, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lot Numbers Two hundred forty-four (244), Two hundred forty-five (245) and Two hundred forty-six (246) in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots One (1), Two (2), Three (3), Four (4), Five (5), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15) in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section Eleven (11), Township Twelve (12) North, Range Nine (9) West.

ALSO

Commencing at a point 144 feet East of the North West corner of Lot Number 247 in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, and 16 in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section 11, Township 12 North, Range 9 West, thence East to the Northeast corner of said Lot 247; thence Southwesterly along the East line of said Lot 247 to a point due South of the point of beginning; thence North to the point of beginning.

Parcel No. 84-06-11-127-011.000-002  
84-06-11-127-012.000-002

Commonly known as: 2425 Ft. Harrison, Terre Haute, Indiana 47804.

Your petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as R-1 Residential Single Family.

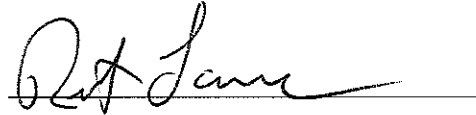
Your petitioner would respectfully state that the real estate is now R-1 Single Family. Your petitioner intends to use the real estate for retail commercial trade and warehouse.

Your petitioner would request that the real estate described herein shall be zoned as a C-5 General Central Business District (C.B.D.) Your petitioner would allege that the General Central Business District would not alter the general characteristics of this neighborhood.

Your petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

WHEREFORE, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for the Terre Haute, Indiana," and declaring the above-described real estate to be part of the C-5 General Central Business District (C.B.D.) of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, This petition has been duly executed this 3 day of MARCH, 2010.



BY:

Rick Lasure

PETITIONER: Rick Lasure, P.O. Box 10602, Terre Haute, IN 47801

This instrument was prepared by:

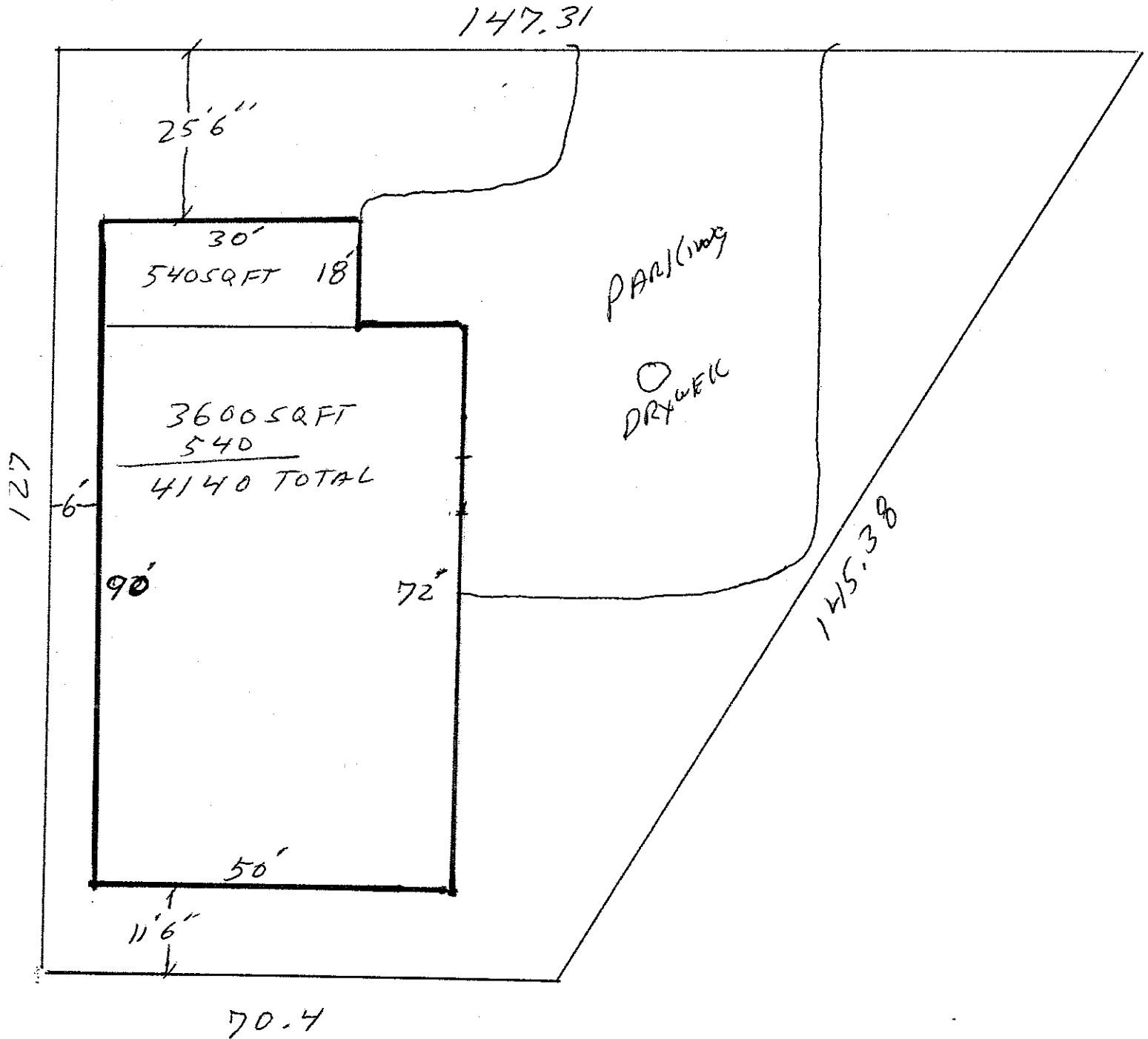
Rhonda D. Oldham, BRAMES & OLDHAM, 191 Harding Av., Terre Haute, IN 47807

**Lasure Construction Inc.**  
COMMERCIAL BUILDER AND DEVELOPER  
812-533-9494

P.O. 10602  
Terre Haute, IN  
47801

Rick Lasure

2425 Font Harrison Road



DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer

2010001103 SD \$22.00  
01/29/2010 01:34:47P 4 PGS  
NANCY S. ALLSUP  
VIGO County Recorder IN  
Recorded as Presented



JAN 29 2010

*Timothy M. Squire*  
VIGO COUNTY AUDITOR

EXEMPT FROM DISCLOSURE

SHERIFF'S DEED

**THIS INDENTURE WITNESSETH:**

WHEREAS on the 11th day of April, 2008, in the Vigo Superior Court, the City of Terre Haute Department of Redevelopment recovered an in rem judgment against the following described real estate, to-wit:

Lot Numbers Two hundred forty-four (244), Two hundred forty-five (245) and Two hundred forty-six (246) in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots One (1), Two (2), Three (3), Four (4), Five (5), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15) in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section Eleven (11), Township Twelve (12) North, Range Nine (9) West.

ALSO

Commencing at a point 144 feet East of the North West corner of Lot Number 247 in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, and 16 in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section 11, Township 12 North, Range 9 West, thence East to the Northeast corner of said Lot 247; thence Southwesterly along the East line of said Lot 247 to a point due South of the point of beginning; thence North to the point of beginning.

Commonly known as 2425 Fort Harrison, Terre Haute, Vigo County, Indiana.

Parcel No. 84-06-11-127-011.000-002  
84-06-11-127-012.000-002

all without relief from valuation or appraisal laws, which judgment and Order of Court more fully appear in Vigo Superior Court Cause No. 84DO2-0710-PL-10746, of the records of said Court and for the foreclosure of the judgment sued upon by City of Terre Haute Department of Redevelopment in its complaint.

WHEREAS, on the 16th day of May, 2008, a copy of the Agreed Judgment and Decree of Foreclosure and Order of Sale in said cause was issued and certified to the Sheriff of Vigo County by the Clerk of said Court under the seal thereof, and no owner or part owner of the real estate described in said proceedings and hereinafter described or other person legally entitled thereto, has paid to the Clerk of the Vigo Superior Court in Vigo County, Indiana, the amount of said judgment, interest and costs rendered in said cause within three (3) months from the filing of suit, (October 11, 2007) or prior to the issuance by the Clerk of said Court of said Decree and Order of Sale; and,

WHEREAS, pursuant to said Decree and Order of Sale after notice of such sale was given by me, by advertising the same once each week for three (3) successive weeks in a daily or weekly newspaper of general circulation printed in the English language and published in Vigo County, Indiana, which publications were made on the 17th, 24th and 31st day of July, 2008, more than thirty (30) days before the date fixed for such sale, to-wit: August 21, 2008, and by posting written or printed notices in at least three public places in Harrison Township of said Vigo County, Indiana, where the real estate is located, I duly offered for sale at public auction, the real estate described in said proceedings and hereinafter described; and,

WHEREAS, Rick Lasure at such sale bid the sum of Three Hundred Forty-seven and 25/100 Dollars (\$347.25), that being the highest bid made at such sale.

NOW, THEREFORE, I, Jon Marvel as such Sheriff, for and in consideration of the aforesaid sum bid and paid, do hereby convey to Rick Lasure the following described real estate in Vigo County, State of Indiana, to-wit:

Lot Numbers Two hundred forty-four (244), Two hundred forty-five (245) and Two hundred forty-six (246) in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots One (1), Two (2), Three (3), Four (4), Five (5), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15) in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section Eleven (11), Township Twelve (12) North, Range Nine (9) West.



3

ALSO

Commencing at a point 144 feet East of the North West corner of Lot Number 247 in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, and 16 in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section 11, Township 12 North, Range 9 West, thence East to the Northeast corner of said Lot 247; thence Southwesterly along the East line of said Lot 247 to a point due South of the point of beginning; thence North to the point of beginning.

Commonly known as 2425 Fort Harrison, Terre Haute, Vigo County, Indiana.

Parcel No. 84-06-11-127-011.000-002  
84-06-11-127-012.000-002

IN WITNESS WHEREOF, I, the aforesaid Sheriff, have hereunto set my hand and seal, this 21 day of August, 2008.

*Jon Marvel*

Sheriff of Vigo County, Indiana

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF VIGO        )

Before me the undersigned, a Notary Public in and for said County and State, personally appeared Jon Marvel, Sheriff of Vigo County, Indiana, and acknowledged the above and foregoing Sheriff's Deed for the uses and purposes therein set forth.

WITNESS my hand and notarial seal this 21 day of August, 2008.

*Vicki S. Allen*

Printed: Vicki S. Allen  
Notary Public  
Resident of Vigo County IN

My Commission Expires:  
4-20-15

4

I affirm, under the penalties of perjury,  
that I have taken reasonable care to redact  
each Social Security number in this document,  
unless required by law.

  
Printed: Rhonda Oldham

Grantee's Address: P.O. Box 10602, Terre Haute, IN 47801

Mail tax statements to: P.O. Box 10602, Terre Haute, IN 47801

This instrument prepared by Rhonda Oldham, Attorney at Law, The  
Tudor House, 191 Harding Ave., P.O. Box 410, Terre Haute,  
Indiana, 47808-0410.

**AFFIDAVIT OF:**

COMES NOW affiant, Rick Lasure,

and affirms under penalty of law that affiant is the owner of record of the property located

at 2425 Ft. Harrison, Terre Haute Indiana

for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.

I affirm under penalty for perjury, that the foregoing representations are true.

Rick Lasure  
Rick Lasure

STATE OF Florida  
SS: (COUNTY OF Lee)

Personally appeared before me, a Notary Public in and for

said County and State, Rick Lasure

who acknowledges the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 3 day of March, 2010.

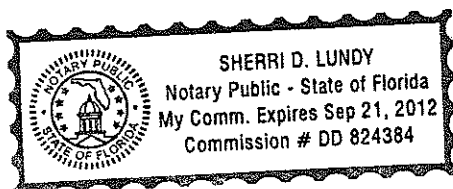
Notary Public:

Sherry D. Lundy  
Signature


Sherry D. Lundy  
Printed Name

My Commission Expires: Sept 21, 2012

My County of Residence: Lee



DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer

2010001103 SD \$22.00  
01/29/2010 01:34:47P 4 PGS  
NANCY S. ALLSUP  
VIGO County Recorder IN  
Recorded as Presented  


JAN 29 2010

*Timothy M. Seigrist*  
VIGO COUNTY AUDITOR

EXEMPT FROM DISCLOSURE

**SHERIFF'S DEED**

**THIS INDENTURE WITNESSETH:**

WHEREAS on the 11th day of April, 2008, in the Vigo Superior Court, the City of Terre Haute Department of Redevelopment recovered an in rem judgment against the following described real estate, to-wit:

Lot Numbers Two hundred forty-four (244), Two hundred forty-five (245) and Two hundred forty-six (246) in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots One (1), Two (2), Three (3), Four (4), Five (5), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15) in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section Eleven (11), Township Twelve (12) North, Range Nine (9) West.

ALSO

Commencing at a point 144 feet East of the North West corner of Lot Number 247 in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, and 16 in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section 11, Township 12 North, Range 9 West, thence East to the Northeast corner of said Lot 247; thence Southwesterly along the East line of said Lot 247 to a point due South of the point of beginning; thence North to the point of beginning.

Commonly known as 2425 Fort Harrison, Terre Haute, Vigo County, Indiana.

Parcel No. 84-06-11-127-011.000-002  
84-06-11-127-012.000-002

all without relief from valuation or appraisal laws, which judgment and Order of Court more fully appear in Vigo Superior Court Cause No. 84DO2-0710-PL-10746, of the records of said Court and for the foreclosure of the judgment sued upon by City of Terre Haute Department of Redevelopment in its complaint.

WHEREAS, on the 16th day of May, 2008, a copy of the Agreed Judgment and Decree of Foreclosure and Order of Sale in said cause was issued and certified to the Sheriff of Vigo County by the Clerk of said Court under the seal thereof, and no owner or part owner of the real estate described in said proceedings and hereinafter described or other person legally entitled thereto, has paid to the Clerk of the Vigo Superior Court in Vigo County, Indiana, the amount of said judgment, interest and costs rendered in said cause within three (3) months from the filing of suit, (October 11, 2007) or prior to the issuance by the Clerk of said Court of said Decree and Order of Sale; and,

WHEREAS, pursuant to said Decree and Order of Sale after notice of such sale was given by me, by advertising the same once each week for three (3) successive weeks in a daily or weekly newspaper of general circulation printed in the English language and published in Vigo County, Indiana, which publications were made on the 17th, 24th and 31st day of July, 2008, more than thirty (30) days before the date fixed for such sale, to-wit: August 21, 2008, and by posting written or printed notices in at least three public places in Harrison Township of said Vigo County, Indiana, where the real estate is located, I duly offered for sale at public auction, the real estate described in said proceedings and hereinafter described; and,

WHEREAS, Rick Lasure at such sale bid the sum of Three Hundred Forty-seven and 25/100 Dollars (\$347.25), that being the highest bid made at such sale.

NOW, THEREFORE, I, Jon Marvel as such Sheriff, for and in consideration of the aforesaid sum bid and paid, do hereby convey to Rick Lasure the following described real estate in Vigo County, State of Indiana, to-wit:

Lot Numbers Two hundred forty-four (244), Two hundred forty-five (245) and Two hundred forty-six (246) in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots One (1), Two (2), Three (3), Four (4), Five (5), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15) in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section Eleven (11), Township Twelve (12) North, Range Nine (9) West.

3

ALSO

Commencing at a point 144 feet East of the North West corner of Lot Number 247 in Fort Harrison Addition to the City of Terre Haute, Vigo County, Indiana, a Subdivision of Lots 1, 2, 3, 4, 5, 10, 11, 12, 13, 14, 15, and 16 in Fort Harrison Heights, a subdivision in the North half of the Northwest quarter of Section 11, Township 12 North, Range 9 West, thence East to the Northeast corner of said Lot 247; thence Southwesterly along the East line of said Lot 247 to a point due South of the point of beginning; thence North to the point of beginning.

Commonly known as 2425 Fort Harrison, Terre Haute, Vigo County, Indiana.

Parcel No. 84-06-11-127-011.000-002  
84-06-11-127-012.000-002

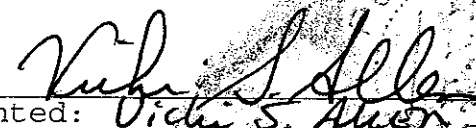
IN WITNESS WHEREOF, I, the aforesaid Sheriff, have hereunto set my hand and seal, this 21 day of August, 2008.

  
\_\_\_\_\_  
Sheriff of Vigo County, Indiana

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF VIGO       )

Before me the undersigned, a Notary Public in and for said County and State, personally appeared Jon Marvel, Sheriff of Vigo County, Indiana, and acknowledged the above and foregoing Sheriff's Deed for the uses and purposes therein set forth.

WITNESS my hand and notarial seal this 21 day of August, 2008.

  
Printed: Vicki S. Allen  
Notary Public  
Resident of Vigo County, IN

My Commission Expires: 4-20-15

4

I affirm, under the penalties of perjury,  
that I have taken reasonable care to redact  
each Social Security number in this document,  
unless required by law.

  
Printed: Rhonda Oldham

Grantee's Address: P.O. Box 10602, Terre Haute, IN 47801

Mail tax statements to: P.O. Box 10602, Terre Haute, IN 47801

This instrument prepared by Rhonda Oldham, Attorney at Law, The  
Tudor House, 191 Harding Ave., P.O. Box 410, Terre Haute,  
Indiana, 47808-0410.

**AFFIDAVIT OF:**

COMES NOW affiant, Rick Lasure,

and affirms under penalty of law that affiant is the owner of record of the property located  
at 2425 Ft. Harrison, Terre Haute Indiana

for which a rezoning is requested and hereto a copy of the deed is attached evidencing such  
ownership.

I affirm under penalty for perjury, that the foregoing representations are true.

Rick Lasure  
Rick Lasure

STATE OF Florida  
SS: (COUNTY OF Lee)

Personally appeared before me, a Notary Public in and for

said County and State, Rick Lasure

who acknowledges the execution of the above and foregoing, after being duly sworn upon his  
oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 3 day of March, 2010.

Notary Public:

Sherry D. Lundy  
Signature

Sherry D. Lundy  
Printed Name

My Commission Expires: Sept 21, 2012

My County of Residence: Lee

